

10-25-2000



101496167

RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- New 9-29-00
- Resubmission (Non-Recordation)  
Document ID #
- Correction of PTO Error  
Reel #  Frame #
- Corrective Document  
Reel #  Frame #

Conveyance Type

- Assignment  License
- Security Agreement  Nunc Pro Tunc Assignment
- Merger Effective Date  
Month Day Year
- Change of Name
- Other

Conveying Party

- Mark if additional names of conveying parties attached
- Execution Date  
Month Day Year

Name

Formerly

- Individual  General Partnership  Limited Partnership  Corporation  Association
- Other
- Citizenship/State of Incorporation/Organization

Receiving Party

- Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)

- Individual  General Partnership  Limited Partnership  If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)
- Corporation  Association
- Other
- Citizenship/State of Incorporation/Organization

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Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, DC 20231

D

**Domestic Representative Name and Address** Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)



09-29-2000

U.S. Patent & TMO/TM Mail Rcpt Dt. #22

**Correspondent Name and Address** Area Code and Telephone Number

Name **Amy B. Goldsmith, Esq. Gottlieb Rackman & Reisman, P.C.**

Address (line 1) **270 Madison Avenue 8th Floor**

Address (line 2) **New York, New York 10016**

Address (line 3)

Address (line 4)

**Pages** Enter the total number of pages of the attached conveyance document including any attachments. #

**Trademark Application Number(s) or Registration Number(s)**  Mark if additional numbers attached  
Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Trademark Application Number(s)

Registration Number(s)

**Number of Properties** Enter the total number of properties involved. #

**Fee Amount** Fee Amount for Properties Listed (37 CFR 3.41): \$

Method of Payment: Enclosed  Deposit Account

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number: #

10/23/2000 MTHA11 00000222 1945381

01 FC:481 40.00 DP  
02 FC:482 25.00 DP

Authorization to charge additional fees: Yes  No

**Statement and Signature**

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

**Amy B. Goldsmith, Esq.**  
Name of Person Signing

**September 21, 2000**  
Date Signed

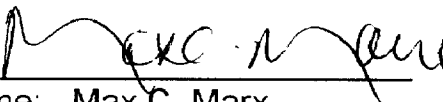
TRADEMARK ASSIGNMENT

WHEREAS, The Wardley Corporation, a corporation organized and previously existing under the laws of the State of Delaware, having an address of record of 400 Plaza Drive, Secaucus, New Jersey 07094 ("Assignor"), is the owner of record of the U.S. trademark registrations on the attached Schedule A ("the Trademarks");

WHEREAS, The Hartz Mountain Corporation, a corporation organized and existing under the laws of the State of New Jersey, having an address of 400 Plaza Drive, Secaucus, New Jersey 07094 ("Assignee"), is desirous of acquiring all of Assignor's rights, title and interest in and to the Trademarks;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, Assignor, hereby sells, assigns and transfers unto Assignee, its successors, assigns or other legal representatives, its entire right, title and interest, including common law rights, in and to said Trademarks together with the goodwill of the business in connection with which the Trademarks are used and the right to sue for and collect damages for past infringement(s) of said Trademarks, effective *nunc pro tunc* December 18, 1995.

The Wardley Corporation

By:   
Name: Max C. Marx  
Title: Secretary

Secaucus, New Jersey  
May 22, 2000

# SCHEDULE A

## SCHEDULE OF TRADEMARK REGISTRATIONS

### REGISTRATIONS

<u>Trademark</u>	<u>Reg. No.</u>	<u>Reg. Date</u>
TOTAL TROPICAL	1,945,381	2-2-96
TOTAL GOLDFISH	1,946,624	2-9-96

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United States of America )  
State of New Jersey ) ss:  
County of Hudson )

**ACKNOWLEDGEMENT**

On this 22nd day of May, 2000 before me personally appeared Max C.

Marx, to me known, who, being by me duly sworn, did depose and say that he is Secretary of The Wardley Corporation, the corporation described in the foregoing instrument; and that he is duly authorized to execute the foregoing instrument on behalf of said corporation.

*Alice T. Giliberti*

NOTARY PUBLIC  
ALICE T. GILIBERTI  
NOTARY PUBLIC OF NEW JERSEY  
MY COMMISSION EXPIRES  
*October 17, 2004*